



NOTICE OF 30-DAY PUBLIC COMMENT PERIOD
ASHEPOO/RESCO TOWER, SITE
61 Braswell Street, Charleston, South Carolina.

The South Carolina Department of Health and Environmental Control (DHEC) announces a 30-day period for citizens to comment on a potential Voluntary Cleanup Contract for the Ashepoo/Resco Tower Site. The contract, **VCC-06-5688-NRP**, will be between “Ashley II of Charleston, LLC” and DHEC. The contract will allow “Ashley II of Charleston, LLC” to purchase the property as a Brownfields site, which may have environmental pollution resulting from past practices. “Ashley II of Charleston, LLC” did not create the pollution, but wishes to buy the property and voluntarily clean it up for reuse. If this contract is implemented, DHEC will not hold “Ashley II of Charleston, LLC” liable under State Superfund laws for pre-existing contamination in exchange for performing work under the Voluntary Cleanup Program. If contamination has spread off of the property, State law will not allow affected parties to file suit against “Ashley II of Charleston, LLC” for the past operations; however, legal action may be pursued against any former owners or operators.

The Brownfields site being purchased by “Ashley II of Charleston, LLC” consists of 0.953 acres identified by tax map #464-00-00-039 and is currently the location of two cellular phone towers. The site has been used by various industries but was part of the Ashepoo Fertilizer Works and the American Agricultural Company that produced phosphate-based fertilizer from the late 1800’s until 1978. The fertilizer plant operations caused arsenic and lead contamination in soil and groundwater on the property.

“Ashley II of Charleston, LLC” intends to redevelop the property into commercial and mixed-use purposes, including shopping, office, and where appropriate, multifamily or single family residential. Due to the potential for environmental pollution at the site, “Ashley II of Charleston, LLC” wishes to enter into a contract under DHEC’s Voluntary Cleanup Program. Under the proposed contract, “Ashley II of Charleston, LLC” will test additional samples of soil and groundwater. If contamination is found, “Ashley II of Charleston, LLC” will take steps to eliminate exposure to contaminated soils on the property and may be required to take additional steps to protect human health and the environment based on the laboratory findings.

The proposed contract is available at <http://www.scdhec.gov/lwm/html/public.asp>. Printed copies may be obtained from the DHEC Freedom of Information Office at (803) 898-3882.

DHEC promotes redevelopment and revitalization of Brownfields sites across the state so that these properties do not become abandoned or unusable. Public comments on proposed Brownfields contracts assist DHEC in balancing the environmental and redevelopment issues to be in the best interest of the state. Any comments or questions may be directed to Angela Gorman, Project Manager, email gormanak@dhec.sc.gov, telephone (803) 896- 4121, or Craig Dukes, Brownfields Public Information Coordinator, SCDHEC – Bureau of Land and Waste Management, 2600 Bull Street, Columbia, SC 29201; email dukescv@dhec.sc.gov, TOLL-FREE telephone (866) 576-3432. Citizens may provide written, email, or telephone comments on the Ashepoo/Resco Tower Site proposed contract until February 13, 2007.